



IFW

PATENT APPLICATION  
Docket No: 13914.725.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
 )  
 Watterson, et al. )  
 )  
 Serial No.: 10/804,715 )  
 ) Art Unit  
 Filed: March 19, 2004 ) 3764  
 )  
 Confirmation No.: 7502 )  
 )  
 For: METHOD AND APPARATUS FOR TREADMILL WITH FRAMELESS )  
 TREADBASE )

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of August, 2004:

- Transmittal for Information Disclosure Statement (3 pgs.)  
(in duplicate)
- Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (2 pages)
- Copies of 2 references
- Postcard

Respectfully submitted,

Linda Clark, Assistant to  
David B. Dellenbach  
Attorney for Applicants  
Registration No. 39,166  
**Customer No. 022913**  
Telephone No. (801) 533-9800

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional) 13914.725.1		Application Number 10/804,715	
Applicant(s) Watterson, et al.			
Filing Date March 19, 2004		Group Art Unit 3764	

## PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	1,211,765	1/1917	A.P. Schmidt			
	2	3,554,541	1/1971	Seaman	272	69	
	3	5,072,928	12/1991	Stearns, et al.	272	69	
	4	5,088,729	2/1992	Dalebout	272	69	
	5	5,382,207	1/1995	Skowronski, et al.	482	54	
	6	5,433,679	7/1995	Szymczak, et al.	482	54	
	7	5,484,362	1/1996	Skowronski, et al.	482	54	
	8	5,599,259	2/1997	Skowronski, et al.	482	54	
	9	5,613,856	3/1997	Hoover	434	253	
	10	5,709,632	1/1998	Socwell	482	54	
	11	5,752,897	5/1998	Skowronski, et al.	482	54	

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	1	0403924 B1	4/1995	EPO	A63	B22/02		
	2	0504649 B1	5/1995	EPO	A63	B22/02		

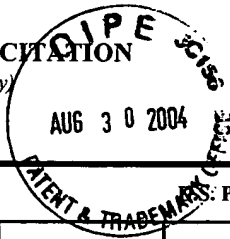
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

13914.725.1

Application Number

10/804,715

Applicant(s)

Watterson, et al.

Filing Date

March 19, 2004

Group Art Unit

3764

## PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	12	5,897,461	4/1999	Socwell	482	54	
	13	6,053,848	4/2000	Eschenbach	482	54	
	14	6,095,951	8/2000	Skowronski, et al	482	54	
	15	6,174,267 B1	1/2001	Dalebout, et al.	482	54	

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

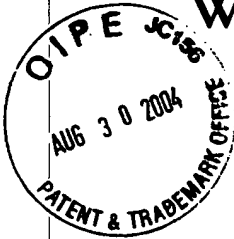
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

RICK D. NYDEGGER  
BRENT P. LORIMER  
THOMAS R. VUKSINICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
JOHN M. GUYNN  
CHARLES L. ROBERTS  
DANA L. TANGREN  
ERIC L. MASCHOFF  
CHARLES J. VEVERKA  
ROBYN L. PHILLIPS  
RICHARD C. GILMORE \*  
STERLING A. BRENNAN  
R. BURNS ISRAELSEN  
DAVID R. TODD  
GREGORY M. TAYLOR  
DAVID B. DELLENBACH  
L. DAVID GRIFFIN  
ADRIAN J. LEE  
FRASER D. ROY  
CARL T. REED



# WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE: (801) 533-9800  
FAX: (801) 328-1707  
WEBSITE: HTTP://WWW.WNLAW.COM

PATENT APPLICATION  
Docket No: 13914.725.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of		)	
		)	
	Watterson, et al.	)	
		)	Art Unit
Serial No.:	10/804,715	)	3764
		)	
Filed:	March 19, 2004	)	
		)	
Confirmation No.:	7502	)	
		)	
For:	METHOD AND APPARATUS FOR TREADMILL WITH	)	
	FRAMELESS TREADBASE	)	

R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
WILLIAM R. RICHTER  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
MICHAEL B. DODD  
RYAN D. BENSON  
SARA D. JONES  
TIGE KELLER  
JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON  
MATTHEW A. BARLOW  
WESLEY C. ROSANDER  
ANDREW S. HANSEN  
CHAD E. NYDEGGER  
JOSEPH G. PIA  
CLINTON E. DUKE  
DAVID J. LORENZ †  
RYAN N. FARR \*  
JAMES B. BELSHE

## TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

Statement of relevance of selected cited references not in the English language which are not translated.

Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

\_\_\_\_ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

X Form PTO-1449 listing 17 references submitted for consideration.

X Copies of the 2 foreign references listed on the Form PTO-1449.

\_\_\_\_ English translations as indicated on the Form PTO-1449 of the references which are not in the English language.

\_\_\_\_ Copies of the following documents from the prosecution of a previous, related application:

\_\_\_\_ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and

\_\_\_\_ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

I. X Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.

II. \_\_\_\_ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

\_\_\_\_ Promptness Certification; or

\_\_\_\_ Credit Card Form PTO 2038 in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

III. \_\_\_\_ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_\_ Promptness Certificate;

\_\_\_ Petition for Consideration; and

\_\_\_ Check No. in the amount of \$ \_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. \_\_\_ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_ Petition to Withdraw from Issue; and

\_\_\_ Check No. \_\_\_ in the amount of \$ \_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p).

\_\_\_ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 26<sup>th</sup> day of August, 2004.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicants  
Registration No. 39,166  
**Customer No. 022913**  
Telephone No. (801) 533-9800



PATENT APPLICATION  
Docket No: 13914.725.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)	
	Watterson, et al.	)	
Serial No.:	10/804,715	)	Art Unit
Filed:	March 19, 2004	)	3764
Confirmation No.:	7502	)	
For:	METHOD AND APPARATUS FOR TREADMILL WITH FRAMELESS TREADBASE	)	
Examiner:	Unknown	)	

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Mail Stop – AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 26 day of August, 2004.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicants  
Registration No. 39,166  
**Customer No. 022913**  
Telephone No. (801) 533-9800

DBD/lrc  
LC0000001541V001